THE HON'BLE SRI JUSTICE C.V. RAMULU

Tuesday, 27th day of February,2007

W.P.No.17261 of 2006

Between:-

R.S.L. Prasad … Petitioner

and

The District Cooperative
Officer, Krishna District,
Machilipatnam and others … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.17261 of 2006

ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring the action of the respondents in not reinstating the petitioner into service as Paid Secretary and in not paying his salary from 15-4-2002 onwards as arbitrary and illegal and consequently to direct the respondents to reinstate the petitioner into service and pay his salary from 15-4-2002.

It appears, petitioner was suspended from service of the 3rd respondent-society on 5-6-2002. It is his case that since from that date i.e. 5-6-2002 neither he is paid subsistence allowance nor any enquiry is contemplated or conducted against him. Therefore, this Writ Petition.

Counter affidavit has been filed by the 3rd respondent denying the allegations made by the petitioner.

Heard the learned counsel for the parties and perused the entire material made available on record.

Firstly, I am of the opinion that the Writ Petition, in this shape, is not maintainable. Petitioner has got effective alternative remedy by way of approaching the Authority under the A.P. Shops and Establishments Act for working out his remedies. On this ground alone, the Writ Petition is liable to be dismissed.

Accordingly, the Writ Petition is dismissed leaving liberty to the petitioner to work out his remedies as available under the A.P. Shops and Establishments Act. If any dispute is raised by the petitioner before the Authority, it shall be entertained without raising any objection as to limitation. No order as to costs.

27-2-2007

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